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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,531	12/03/2003	Eugene M. Lee	113708.130 US1	3192
23400	7590	09/10/2007		
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			EXAMINER CORRIELUS, JEAN M	
			ART UNIT 2162	PAPER NUMBER
			MAIL DATE 09/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/725,531

Applicant(s)

LEE, EUGENE M.

Examiner

Jean M. Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15, 18-25, 27-33, 35-41 and 43-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15, 18-25, 27-33, 35-41 and 43-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the Request For Continued Examination (RCE) filed on June 26, 2007, in which claims 1-13, 15, 18-25, 27-33, 35-41 and 43-45 are presented for further examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 26, 2007 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-13, 15, 18-25, 27-33, 35-41 and 43-45 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-13, 15, 18-25, 27-33, 35-41 and 43-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The independent claims 1, 22, 30 and 38 recite "attribute type can have parent and child attribute types" and "can be". Such limitations in the

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claim raise doubt as to whether the attribute type is actually having a parent and child attribute type. "Can have" and "can be" mean a possibility an action may perform not certain.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-13, 15, 16 and 18-25, 27-33, 35-41 and 43-45 rejected under 35 U.S.C. 103(a) as being unpatentable over Grainger US Patent Publication no. 200/011636 and in view of Morgenstern US Patent 5,970,490.

As claim 1, Grainer discloses the use of managing documents related to patent applications (Abstract; [002]). Grainer discloses the claimed "a plurality of attributes in association with a plurality of electronic documents" (a plurality of electronic document related to patent application, wherein the electronic documents has a plurality of attribute associated therein, [0016], lines 1-5), and "a plurality of attribute types implemented by a computer system, where an attribute type can have a plurality of attributes, the attributes" (document types, [0015]); "a document can be assigned a plurality of attribute, types at a same and/or different level in the hierarchy, a document can be assigned a plurality of attributes for one attribute type" (navigating through the electronic document, using multiple groupings or multiple level of grouping, [0109]); "the documents are stored in a first data storage" (central data repository of all information regarding patent process, item 100), "the attributes are stored in a second data

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storage” (database, item 106 organized into document entities), and “the first data storage and the second data storage are logical separate and different” (set of attribute listed in an appropriate table in database 106; whereas, system 100 for central data repository of all information regarding patent process). Grainger discloses the claimed a sequential event ([0004], lines 1-2); “providing a group of a plurality of documents including at least one document” (a plurality of electronic document related to patent application, wherein the electronic documents has a plurality of attribute associated therein, [0016], lines 1-5). It is inherent that a plurality of documents would include at least on document; “selecting a plurality of attributes to be associated with the at least one document” (according to the claimed the attribute is not yet associated with the document, in that Grainger discloses a plurality of attributes associated with a document, [0016], lines 1-5); “for each selected attributes, automatically tagging in the first data storage, the documents in the group including the at least one document, with each selected attribute and with all attributes of all ancestors in the hierarchy of each selected attribute, and storing in the second data storage respective references in association with each selected attribute and the ancestor attributes, for later retrieval of individual documents in the first data storage” (automatically associated the electronic documents with the plurality of attributes, [0016], lines 1-5); “wherein a document is a data record including a plurality of fields” (document includes plurality of fields, {0071}); “wherein the attribute and attribute type can be different from the fields in the document and contents of the fields” (populating the document fields from the attribute, [0071]. However, Grainger does not explicitly disclose the claimed “the attribute types are ordered in a tree-structure hierarchy”. On the other hand, Morgenstern focuses on hierarchical tree-structures as a dominant structuring mechanism. Of course certain semantic

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attributes, such as type of attribute has meaning under just one interpretation attribute, which it uses to determine how other attributes and constructs of the specification should be interpreted, wherein the tree structure is a projection of the structure of the original tree, see col.9, lines 60-67; col.12, lines 56-64 and col.43, lines 7-20). This implications discloses the claimed “the attribute types are ordered in a tree-structure hierarchy, wherein the attributes can be any of the plurality of attributes”. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Grainger’s system by incorporating the use of having an attribute type ordered as a tree structure, in the same conventional manner as disclosed by Morgenstern. One having ordinary skill in the art would have found it motivated to create an annotated logical structure diagram which serves as a graph representing relationship of source data in a context-independent uniform manner in order to eliminate tedious and costly specialized translators by utilizing declarative specification language to represent the source and target data representations.

As to claim 2, Grainger discloses the claimed “wherein providing the group of documents included in the group of document responsive to a user” ([0061]).

As to claim 3, Grainger discloses the claimed “organizing the group of documents, wherein the documents are sorted for visual presentation by at least one field therein, wherein the at least one field is different from the attribute and attribute type associated therewith” ([0105]).

As to claim 4, Grainger discloses “assigning at least one of documents to at least one other group” ([0109])

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As to claim 5, Grainger discloses, “wherein the group of documents omits a lapsed document” (automatically deleting the lapsed in favor of the actual due date or a later reminder, [0088]).

As to claim 6, Grainger discloses, “wherein the document is image file format ([0064]).

As to claim 7, Grainger discloses “searching the second data storage for document based on criteria including the attribute and attribute type, and using the respective references in the second data storage to locate the documents in the first data storage” ([0098]).

As to claim 8, Grainger discloses “retrieving the located documents from the first storage based on the respective references” ([0098]).

As to claim 9, Grainger discloses “displaying information characterizing the documents” ([0098]).

As to claim 10, Grainger discloses “limiting access to the at least one attribute” (the priority licensees will be able to access appropriate data describing the IP assets (e.g., title, abstract, claims, inventor list) through Web pages that have restricted access rights, see [0048]).

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As claim 11, Grainger discloses “a reference to a URL”([0098})).

As to claim 12, Grainger discloses a patent portfolio.

As to claim 13, Grainger discloses a preliminarily determining a plurality of attributes” (type attribute associated with document Entities, [0134], and one or more attributes [0016]).

As to claim 15, Grainger discloses “wherein the attribute are selected from a plurality of attribute types”(type attribute associated with document Entities, [0134], and one or more attributes [0016]).

As to claim 16, discloses the claimed “ current owner” (inventor and other entities, [0004]).

As to claim 18, Grainger discloses the claimed “attributes and the plurality of attribute types” (type attribute associated with document Entities, [0134], and one or more attributes [0016]).

As to claim 19, Grainger discloses the claimed “utilizing the attribute as a search” ([0098}).

As to claim 20, Grainger discloses “an attribute type” (type attribute associated with document Entities, [0134]).

As to claim 21, Grainger discloses “serial number of the document” (a patent application number (serial number), [0057]).

As to claims 22-25, 27-29, the limitations of claims 22-25 and 27-29 have been noted in the rejection of claims 1-13, 15, 16 and 18-21 above. In addition, Grainger discloses the claimed “wherein the at least one document and the at least one other document are representative of a patent document” electronic document is related to patent applications, see [0016]).

Claims 30-33 and 35-37 are computer program product comprising instructions to execute the method of claims 1-13, 15, 16 and 18-21. They are, therefore, rejected under the same rationale.

Claims 38-41 and 43-45 are system to execute the method of claims 1-13, 15, 16 and 18-21 above. They are, therefore, rejected under the same rationale.

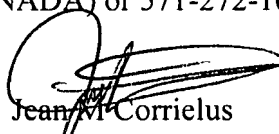
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jean M. Corrielus
Primary Examiner
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September 4, 2007